

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Conf. No.: 1014

SASAKI

Atty. Ref.: 4376-2

Serial No. 10/621,441

Group: 1744

Filed: July 18, 2003

Examiner: Chin, R.E.

For: APPARATUS FOR REMOVING PARTICLES

\* \* \* \* \*

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Sir:

**ELECTION UNDER 35 USC §121**

In response to the Office Action dated July 11, 2006 holding the subject matter of claims 1-4 to be non-obvious and patentably distinct from that of claim 5, Applicant(s) hereby elect the invention of Group I, (upon which claims 1-4 are readable) for further substantive examination.

This election is made without traverse. However, since a restriction requirement is never proper unless the restricted group of claims is patentably distinct (i.e., inter alia, non-obvious under 35 USC §103) from the elected group of claims, the Examiner is requested to insure that such patentable distinctness is present before proceeding to make the requirement final.

It is respectfully requested that the non-elected claims be retained for use with a possible divisional application.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

August 10, 2006

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